

REMARKS

Claims 1-14 and 20-25 are pending in the application, a current listing of which is enclosed herewith for the Examiner's convenience.

No claims have been amended herein. The Examiner states that the outstanding Office Action of May 8, 2006 is "Responsive to the communication(s) filed on 2/27/06, Amendment." (Paper No. 05022006, page 1). In the prior response filed on February 21, 2006, applicants added new claims (claims 20-25). The Examiner, in response, issued an election of species requirement for three of the new claims. While applicants understand the basis for the Examiner raising the election in response to addition of the new claims, it is not clear why the applicants' substantive comments and amendments directed to all of the pending claims with respect to the prior art cited by the Examiner were not also addressed in the Office Action in response to applicants' amendment at the same time the election of species was raised. Even if the new claims did give rise to the need for an election regarding claims 20-23, the election would not have been necessary in order for the Examiner to respond on the merits, at least, with respect to claims 1-14 and 24-45. Further, had the undersigned been contacted via telephone, an oral election could have been provided in order to continue to move prosecution forward on the merits. Accordingly, applicants respectfully request a full response to all arguments and amendments made in the prior Amendment filed February 21, 2006 in the next office action.

The Examiner has issued an election of species requirement among four species identified pertaining to new claims 20-23, specifically: Species A to a tonneau cover; Species B to a vehicle floorboard; Species C to a door panel and Species D to a roof panel. The Examiner has indicated that independent claims 1 and 8, from which claims 20-23 depend, directly or indirectly, are generic claims to each of the species named by the Examiner.

While not necessarily agreeing with the specific grounds listed by the Examiner in support of the election, to further prosecution on the merits, applicants hereby provisionally elect, without traverse, Species A (directed to a composite which is a tonneau cover) for examination on the merits. Of the claims subject to the election (claims 20-23), each of claims 20-23 read on the provisionally elected species.

Any questions concerning the election should be directed to the undersigned via telephone or electronic mail.

Application No. 10/748,469
Response to Office Action of May 8, 2006

Respectfully submitted,

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June 8, 2006 By: 
(Date)

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